IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 111 (S/S) 2007

Shalini Singh W/o Sri A.K. Verma,
R/o 4-1745/10, Teacher's Home, Pant Nagar,
G.B. Pant University, U.S. Nagar. .....Petitioner.

Versus

1. State of Uttaranchal through Secretary Education, Secretariat, Dehradun,
2. Addl. Director of Education, Kumaon Mandal, Nainital,
3. Director, Vidyalayee Shiksha, Uttaranchal, Shiksha Sankul, Mayur Vihar, Dehradun.

.....Respondents.

Sri D.S. Patni, learned counsel for the petitioner,
Sri Subhash Upadhyay, learned Standing Counsel for State,

Hon'ble M.M. Ghildiyal, J.

Heard Sri D.S. Patni, learned counsel for the petitioner and Sri Subhash Upadhyay, learned Standing Counsel for the State/respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

1. Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to consider the posting of the petitioner in the vacant post of Assistant Teacher (Science) at district Udham Singh Nagar and further to extent the period of joining of the petitioner upto three months,

II. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case,

III. Award cost of the petition to the petitioner.

The petitioner was provided appointment order by Addl. Director of Education, Kumaon Mandal, Nainital vide order dated 29.12.2006 on the post of Assistant Teacher (L.T. Grade) and was posted at Govt. Higher Secondary School, Binwal Gaon, district Champawat. The petitioner moved application on 22nd January 2007 before the Director School, Education, Uttarakhand, Dehradun with the request for making amendment in the posting order on the ground that her husband is serving at Pant Nagar University, district U.S. Nagar and she has a child aged about 10 months who is suffering from Asthmatic Bronchitis. On the application of the petitioner, the Director of School Education has made endorsement directing the Education Director (Karmik) to provide one month's time to the petitioner to join on her place of posting.

The petitioner has submitted that her son who is about 10 months' old, is still suffering from the aforesaid disease and in view of the fact that her husband is working in Pant Nagar University Pant Nagar, where the post is vacant, she may be posted at Udham Singh Nagar and the period for joining may also be extended.

The petitioner may raise her grievances before the Director of Education, Uttarakhand, Dehradun by making representation and if such representation is made by the petitioner within a period of one week from today, it is expected

from the respondent no. 3 that he will take decision on the representation of the petitioner sympathetically within a period of three weeks from the date of receipt of the representation from the petitioner alongwith a certified copy of this order.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

February 22,2007:
NCM: